United Nations A/C.3/62/L.65

General Assembly

Distr.: Limited
13 November 2007

Original: English

Sixty-second session
Third Committee
Agenda item 68 (b)
Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Pakistan:* draft resolution

From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up and effective implementation of the Conference, and in this regard underlining the importance of their full and effective implementation,

Recalling also its resolution 61/149 of 19 December 2006 in which it decided to convene the Durban Review Conference in 2009,

Noting all the relevant resolutions of the Commission on Human Rights on this subject and urging their full implementation,

Recalling Human Rights Council resolution 3/2 of 8 December 2006[1] on the preparations for the Durban Review Conference in 2009,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. II, sect. A.

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Recalling also the importance of Human Rights Council resolution 6/22 of 28 September 2007,[2] in which the Council regretted the lack of political will to translate the Durban commitments into concrete action and tangible results,

Taking note of Human Rights Council resolution 6/23 of 28 September 2007,[3] in which the Council looked forward to the General Assembly's providing political guidance and taking further decisions, as and when necessary, to ensure a smooth and successful Durban Review Conference with a relevant substantive outcome complementary to the Durban Declaration and Programme of Action,[4]

Underlining the urgent need to end posturing about racism and calling upon all States to resolutely end impunity for acts of racism, racial discrimination, xenophobia and related intolerance, and to face the everyday realities and challenges of these scourges,

I
Convening of the Durban Review Conference

1. *Expresses its profound disappointment* at the fact that, six years after the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the major commitments undertaken in the Durban Declaration and Programme of Action[4] remain unfulfilled;

2. *Welcomes* the report of the Preparatory Committee for the Durban Review Conference on its first session[5] and underlines that the second session of the Preparatory Committee will elaborate further on the date, duration and level of participation so as to ensure a smooth and successful Review Conference;

3. *Calls upon* Member States that are in a position to do so, to offer to host the regional preparatory conferences in their regions and to ensure the widest possible participation in these conferences, whose outcomes will contribute to the deliberations of the Preparatory Committee;

4. *Decides* that the intersessional working group of the Preparatory Committee for the Durban Review Conference shall perform functions and undertake activities compatible with, and complementary to, the goals of the Review Conference and that its primary objective shall be to commence negotiations with a view to consolidating the draft outcome document of the Conference;

5. *Notes with serious concern* that, in the sequel to the 2001 Durban World Conference, there is evidently no commitment for financial support to the Durban Review Conference from voluntary sources;

6. *Requests*, in the above context, the United Nations High Commissioner for Human Rights to put in place effective mechanisms to ensure the availability of adequate financial resources for the successful convening of the Durban Review Conference;

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[2] See A/HRC/6/L.11 (to be issued in final form as part of *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53)), chap. I, sect. A.

[3] Ibid.

[4] See A/CONF.189/12 and Corr.1, chap. I.

[5] A/62/375.

7. *Requests* the Secretary-General to allocate adequate funding, from the regular budget of the United Nations, for the regional preparatory conferences and the Durban Review Conference, including for the funding of delegations from least developed countries, as well as non-governmental organizations, in particular those from the developing countries;

II
International Convention on the Elimination of All Forms of Racial Discrimination

8. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[6] are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, including contemporary forms of racism and racial discrimination, and for the promotion of equality and non-discrimination in the world;

9. *Urges* Member States to withdraw reservations contrary to the object and purpose of the Convention and to consider withdrawing other reservations;

10. *Regrets* the fact that the deadline set by the 2001 Durban World Conference for the universal ratification of the Convention has not been met;

III
Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

11. *Welcomes* the decision of the Human Rights Council, through its resolution 6/21 of 28 September 2007,[7] to commence the process of the actual elaboration of the requisite legal instrument(s) complementary to the International Convention on the Elimination of All Forms of Racial Discrimination, and in this regard encourages the Council to continue its leadership and guidance of this process with a view to bringing it to an early and successful conclusion;

12. *Requests* the Human Rights Council to identify other issues in the Durban Declaration and Programme of Action requiring urgent follow-up and to ensure that its subsidiary mechanisms created for the comprehensive follow-up to and effective implementation of the Durban Declaration and Programme of Action prepare appropriate recommendations on such issues for the Council's consideration and eventual implementation;

13. *Also requests* the Human Rights Council to initiate close and effective collaboration between its subsidiary mechanisms and the independent eminent experts appointed by the Secretary-General to follow up the Durban Declaration and Programme of Action in order to ensure complementarity of efforts and to enhance effectiveness towards the achievement of the commitments undertaken in the Durban Declaration and Programme of Action;

14. *Endorses* the decision of the Human Rights Council, as contained in its resolution 6/22 of 28 September 2007,[2] to realign the work and name of the

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[6] United Nations, *Treaty Series*, vol. 660, No. 9464.

[7] See A/HRC/6/L.11 (to be issued in final form as part of *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53)), chap. I, sect. A.

Anti-Discrimination Unit in the Office of the United Nations High Commissioner for Human Rights so as to render them consistent with its mandate, and its decision that henceforth the Unit should be known as the "Anti-Racial Discrimination Unit" and that its operational activities should focus exclusively on racism, racial discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;

15. *Welcomes* the determination of the United Nations High Commissioner for Human Rights to profile and increase the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and her intention to make this a cross-cutting issue in the activities and programmes of her Office;

IV

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

16. *Expresses its full support and appreciation* for the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and encourages its continuation;

17. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

18. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Racial Discrimination Unit;

19. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit his reports to the General Assembly as required;

20. *Welcomes* the reports of the Special Rapporteur and draws the attention of all States to the key issues of concern raised in these reports, and in this regard calls on States to implement such recommendations;

V

General

21. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-third session;

22. *Decides* to remain seized of this important matter at its sixty-third session under an item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".